

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE EASTERN DISTRICT OF WASHINGTON**

3 JADE WILCOX, on behalf of herself,
4 and all others similarly situated,

5 Plaintiff,

6 vs

7 SWAPP LAW, PLLC, DBA CRAIG
8 SWAPP AND ASSOCIATES; and
9 JAMES CRAIG SWAPP, individually,

10 Defendants.

Case No. CV 17-275-RMP

**Related to Case No. CV 17-00122-
RMP**

**SECOND SETTLEMENT
CERTIFICATE**

11 Plaintiff, on behalf of the Class, and Defendants, by and through their
12 undersigned attorneys, submit this Second Settlement Certificate in response to the
13 Court's Text Only Order (ECF No. 129) of August 9, 2019:

14 On August 27, 2019, the parties filed a Settlement Certificate (ECF No. 130)
15 in response to the Court's Text Only Order (ECF No. 129) of August 9, 2019. That
16 Settlement Certificate stated that at the end of the mediation with Senior Judge
17 Lonny R. Suko on May 23, 2019, Plaintiff, on behalf of the Class, and Defendants
18 reached a verbal agreement of the essential terms of a settlement of this litigation.
19 The Settlement Certificate also stated that Co-Lead Class Counsel and Defendants'
20 Counsel expected to be able to file a formal settlement agreement and a motion for
preliminary approval along with the class notice and recommendation for
appointment of a settlement administrator by October 4, 2019.

1 Since filing that Settlement Certificate, Defendants have provided comments
2 on the formal settlement agreement and the Parties expect to be able to finalize and
3 execute the formal agreement shortly. Class Counsel and Defendants' counsel have
4 agreed upon and finalized the form of the Class Notice. Class Counsel has drafted
5 a Motion for Preliminary Approval and a proposed Order that will be provided to
6 Defendants' counsel once the formal settlement agreement is finalized. Class
7 Counsel has also conducted an additional analysis of the Class Data. Class
8 Counsel has sought clarification of, requested and received revised proposals from
9 professional settlement administrators that they are analyzing in order to propose a
10 settlement administrator to the Court. Class Counsel is also preparing a Plan of
11 Allocation proposing how the settlement proceeds should be distributed to the
12 Class.

13 Co-Lead Class Counsel and Defendants' Counsel expect to be able to file
14 the formal settlement agreement and the motion for preliminary approval along
15 with the class notice and recommendation for appointment of a settlement
16 administrator by no later than October 16, 2019. While the finalization of the
17 settlement has taken a little longer than anticipated, both Class Counsel and
18 Defendants' counsel have been diligently working on finalizing the settlement, the
19 motion for preliminary approval and other documents to file with the Court.

1
2 Dated October 4, 2019

Respectfully submitted

3 By: R. Joseph Barton

4 R. Joseph Barton (admitted *pro hac vice*)
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14 *Co-Lead Class Counsel*

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20 *Additional Counsel for Plaintiff*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON October 4, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will automatically generate a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system.

By: Thomas G. Jarrard